

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

J.A. CASTRO,	§	
Plaintiff,	§	
	§	
VS.	§	Case No. 4:23-cv-00613-P-BJ
	§	
JOHN DOE 1 (a.k.a. “CHETSFORD”), et al.	§	
Defendants,	§	

**MOTION TO PROCEED WITHOUT LOCAL COUNSEL BY DEFENDANT JOHN DOE
1 (“Chetsford”)**

John Doe 1, aka Chetsford, respectfully requests that this Court waive the local counsel requirement under LR 83.10(a)¹ and permit John Doe 1 to proceed without local counsel. This motion is appropriate because John Doe 1 is already represented *pro bono* by counsel with experience practicing in this judicial district, and because there is no indication that granting this motion could delay the case or otherwise prejudice any party.

John Doe 1 is represented in connection with this cause by the public-interest law firm Center for Individual Rights (“Center”), which does not employ any attorneys admitted to the bar in this judicial district, and which is not charging John Doe 1 for its legal services. The Center has undertaken this representation because this case involves an effort to unmask John Doe 1—an

¹ Under N.D. Tex. LR 83.10(a), “[u]nless exempted by LR 83.11, local counsel is required in all cases where an attorney appearing in a case does not reside or maintain the attorney’s principal office in this district. ‘Local counsel’ means a member of the bar of this court who resides or maintains the attorney’s principal office in this district and whose residence or principal office is located within 50 miles of the courthouse in the division in which the case is pending.”

anonymous Wikipedia contributor—and protecting the right to anonymous speech is central to the Center’s mission.

Anne Marie Mackin, who is licensed to practice in this judicial district,² is assisting in the representation *pro bono*, with the permission of her current employer, a private law firm. Ms. Mackin has previously litigated in this judicial district while in the employ of the Texas Office of the Attorney General, and did so without the assistance of local counsel.³ Ms. Mackin is now in private practice with a principal office in Austin, Texas. Given Austin’s geographical proximity to this Court, Ms. Mackin can and will appear in person in this cause as the Court may require. Given her previous experience in this judicial district, Ms. Mackin also can and will comply with all obligations of local counsel under LR 83.10(b), just as she did without issue in her previous employment.

Requiring Defendant John Doe 1 to retain local counsel will add unnecessary cost to this proceeding. This would be unjust, as John Doe 1 did not initiate this proceeding and has, to date, been receiving *pro bono* representation given the importance of the rights at stake (*i.e.*, the rights to speak freely and anonymously). Neither John Doe 1 nor undersigned counsel is aware of any way in which granting this motion could delay the case or otherwise prejudice any other party.

² See Exhibit 1.

³ See, e.g., *Morris v. Pablos*, No. 3:17-CV-3387-L-BN, 2018 WL 3743946 (N.D. Tex. Aug. 7, 2018), *Tex. Home School Coal. v. Powell et al.*, No.5:14-cv-00133-C (N.D. Tex. filed July 25, 2014). See also N.D. Tex. LR 83.11 (unless judge directs otherwise, local counsel not required for an attorney appearing on behalf of the Attorney General of the State of Texas).

Conclusion

For the foregoing reasons, John Doe 1 respectfully requests that this motion to proceed without local counsel be granted.

Respectfully submitted,

/s/ Anne Marie Mackin

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Attorney for John Doe 1 (Chetsford)

Certificate of Conference⁴

Pursuant to Local Rule 7.1(a), I hereby certify that on October 18, 2023, I conferred via email with the Plaintiff, who is *pro se*, regarding this motion, and Plaintiff indicated that he is OPPOSED to this motion.

Respectfully submitted,

/s/ Anne Marie Mackin

Anne Marie Mackin

Texas Bar No. 24078898

Attorney for John Doe 1 (Chetsford)

⁴ As of the date of this filing, no other party has appeared in this action. Accordingly, only the Plaintiff—and not any of John Doe 1's yet-to-be-served Co-Defendants—was conferred with.